

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TODD BAZZINI, GREGORY LEONARCZYK,
NOAH ALLEN and JOHN MARKIEWICZ,
individually and On Behalf of All Other Persons
Similarly Situated,

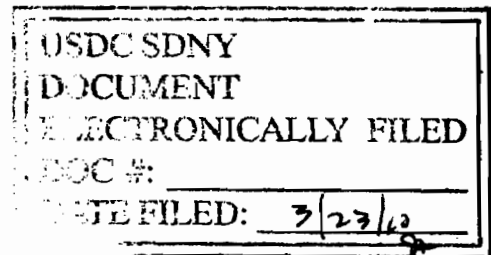
Case No. 08-civ-4530

Plaintiffs,

-against-

CLUB FIT MANAGEMENT, INC., JEFFERSON
VALLEY RACQUET CLUB, INC., DAVID SWOPE,
BETH BECK and BILL BECK.

Defendants.
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**[Proposed] ORDER GRANTING PRELIMINARY APPROVAL OF
SETTLEMENT AND LEAVE TO DISSEMINATE SETTLEMENT NOTICE**

WHEREAS, 83 plaintiffs have opted in to this FLSA collective action;

WHEREAS, the parties in the above-captioned action have reached a proposed settlement;

WHEREAS, the parties have submitted the proposed settlement for preliminary approval;

WHEREAS, the parties have sought leave to send notice of the settlement to the 83 plaintiffs;

WHEREAS, a hearing was held on the motion for preliminary approval and leave to send out notice on March 19, 2010 at 4:00 p.m.;

IT IS NOW ORDERED, DECREED, and ADJUDGED:

1. The proposed settlement is within the range of possible approval and is hereby preliminarily approved.

2. The proposed notice is adequate and satisfies the requirements of Due Process. Plaintiffs' counsel shall send the notice by first class mail to the last known addresses of the 83 opt-in plaintiffs no later than Mar. 24, 2010.
3. A final approval hearing is scheduled for April 19, 2010 at 4:30 p.m.

So ordered:


Honorable Barbara S. Jones
United States District Court

~~4/19/2010~~
2/19/2010